

2011 DRAFTING REQUEST

Assembly Amendment (AA-AB472)

Received: 03/06/2012

Received By: jkreye

Wanted: As time permits

Companion to LRB:

For: Peter Barca (608) 266-5504

By/Representing: george

May Contact:

Drafter: jkreye

Subject: Elections - miscellaneous

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Barca@legis.wisconsin.gov

Carbon copy (CC:) to: joseph.kreye@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Signing recall petitions; contributions to finance recall petitions

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkreye 03/06/2012	mduchek 03/06/2012		_____			
/1			jmurphy 03/06/2012	_____	lparisi 03/06/2012	lparisi 03/06/2012	

FE Sent For:

<END>

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1/?	jkreye	<i>MD</i> <i>3/6/12</i>	<i>jm</i> <i>3/6</i>	<i>RS & dm</i> <i>3/6</i>			
FE Sent For:		<i>11</i>					

<END>



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa2698/7

JK:.....

RM 4R

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,

TO 2011 ASSEMBLY BILL 472

med/kjf

NOW

3-6

1

At the locations indicated, amend the bill as follows:

2

1. Page 1, line 2: after "petitioners" insert "et al".

INSERT A

3

2. Page 1, line 4: before that line insert:

INSERT B

4

3. Page 1, line 4: delete "SECTION 1" and substitute "SECTION 1j".

5

(END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-2571/1
JTK:kjf:jf

2011 ASSEMBLY BILL 296

October 3, 2011 - Introduced by Representatives ROYS, BERNARD SCHABER, SINICKI, TURNER, PASCH, HEBL, BERCEAU, YOUNG, CLARK, TOLES, KESSLER, C. TAYLOR, POCAN, ZAMARRIPA, BARCA, SEIDEL and GRIGSBY, cosponsored by Senators C. LARSON and RISSER. Referred to Committee on Election and Campaign Reform.

Insert A

1 **AN ACT to repeal** 11.26 (13m) (b); **to consolidate, renumber and amend** 11.26
2 (13m) (intro.) and (a); **to amend** 11.01 (16) (intro.); and **to create** 11.26 (17)
3 (dm) of the statutes; **relating to** treatment of contributions used to finance
4 recall petition drives.

Analysis by the Legislative Reference Bureau

Currently, contributions used for the purpose of payment of expenses incurred in connection with the circulation, offer to file, or filing of a petition to recall an officeholder prior to the time that a recall primary or election is ordered, or after that time if incurred in contesting or defending the order, are generally subject to reporting but are not subject to contribution limitations under the campaign finance law. Contributions used for the purpose of payment of expenses incurred in supporting or opposing an officeholder against whom a recall petition has been filed are subject to the limitations.

This bill treats gifts, receipts, and transfers, including certain in-kind transactions, made for the purpose of payment of expenses in connection with the circulation, offer to file, or filing of a petition to recall an officeholder prior to the time that a recall primary or election is ordered, or in contesting or defending such an order, as contributions to any candidate who is supported or whose opponent is opposed for purposes of contribution limitations in the same manner as other contributions to such a candidate. Under the bill, the contributions become subject to the limitations on the day that any person registers his or her intent to circulate a recall petition. If a recall election is ordered, contributions made before and after

ASSEMBLY BILL 296

the filing of the recall petition are aggregated for purposes of the contribution limitations. The bill also specifically provides that actions taken for the purpose of contesting or defending a recall election order are reportable transactions under the campaign finance law to the same extent as other actions taken for the purpose of influencing the recall or retention of an officeholder.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 11.01 (16) (intro.) of the statutes is amended to read:

11.01 (16) (intro.) An act is for "political purposes" when it is done for the purpose of influencing the election or nomination for election of any individual to state or local office; for the purpose of influencing the recall from or retention in office of an individual holding a state or local office, whether before or after the time that a recall election is ordered, or for the purpose of contesting or defending a recall election order; for the purpose of payment of expenses incurred as a result of a recount at an election; or for the purpose of influencing a particular vote at a referendum. In the case of a candidate, or a committee or group which is organized primarily for the purpose of influencing the election or nomination for election of any individual to state or local office, for the purpose of influencing the recall from or retention in office of an individual holding a state or local office, or for the purpose of influencing a particular vote at a referendum, all administrative and overhead expenses for the maintenance of an office or staff which are used principally for any such purpose are deemed to be for a political purpose.

SECTION 11.26 (13m) (intro.) and (a) of the statutes are consolidated, renumbered 11.26 (13m) and amended to read:

11.26 (13m) Contributions utilized for the following purposes are not subject to limitation by this section: (a) For the purpose of payment of legal fees and other

ASSEMBLY BILL 296

1 expenses incurred as a result of a recount at an election are not subject to limitation
2 by this section. (If B)

3 SECTION ~~3~~ 11.26 (13m) (b) of the statutes is repealed. (In B)

4 SECTION ~~4~~ 11.26 (17) (dm) of the statutes is created to read:

5 11.26 (17) (dm) In the case of an officer against whom a recall petition is
6 circulated or a candidate whose candidacy is advocated to replace such an officer, the
7 "campaign" of the candidate begins on the day that any person registers his or her
8 intent to circulate a recall petition under s. 9.10 (2) (d) and ends on the date specified
9 for a special election under par. (d), or if no recall election is ordered, on the date on
10 which the officeholder or candidate receives sufficient contributions to retire any
11 obligations incurred in connection with the circulation of the petition. 1/0

12 (END)

End of Insert B